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Lambda Letters Project

Vol. 5, No. 5 May, 1997 www.humboldt1.com/~mamurphy/lambdaletters LambdaLP@aol.com (916) 965-6851

State Legislative Update

L/G/B/T Bills Plentiful

The change in the political atmosphere of the State Legislature this year is absolutely breathtaking. Last year the l/g/b/t community was under siege, particularly in the State Assembly. All our energy was consumed in fighting bad bills being pushed by a very aggressive coalition of religious political extremists. No positive bills for the l/g/b/t community were given any serious consideration last year.

This year a number of positive bills have been introduced and they are being given very serious consideration. The following is a list of the bills being followed by Lambda Letters, grouped into the four issue areas that we cover. Some of these bills were addressed in our newsletters and sample letters, some were covered in the e-mail alerts sent out by the Project, and some were addressed in letters sent to the Legislature over the signature of Lambda Letter's Administrator, Boyce Hinman.

In the list starting on page 6, we state Lambda Letter's position on each bill and the status of each bill. Notice that several bills are in the suspense file of the Assembly Appropriations Committee. Usually that is because the bill might involve significant spending and

Continued on page 6

Telephone Activism for May

Our Telephone Activism call this month is to support upcoming legislation that would make hate crimes based on the victim's gender or sexual orientation a federal offense. Please call your Representative in the House of Representatives at (800) 972-3524. You will see his or her name on this month's AIDS letter about H.R 1062. If you have already returned that letter and don't know your Representative's name, call us at (916) 965-6851.

If you have time, please also try to call Representative Henry Hyde (R–IL) because he is the chairman of the House Judiciary Committee, which is considering the bill. You may also leave messages in the offices of the following representatives from California who are on that Committee:

Republicans	Democrats
Elton Gallegly	Howard Berman
Sonny Bono	Zoe Lofgren
	Maxine Waters

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Lambda Letters Progress Report

Letters Collected

March, 1997	2,756 letters
In all of 1997	7,580 letters

Dollars Spent

March, 1997	$1,565
In all of 1997	$5,350

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

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Lambda Letters Project

Statement of Purpose

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered persons, and persons affected by or living with HIV/AIDS into full participation in the mainstream of American society now, exercising all the privileges and responsibilities thereof.

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Publication of the name of any person or organization in articles or advertising in the Lambda Letters Project newsletter is not to be construed as any indication of the sexual orientation of such person or organization.

Confidentiality

The Lambda Letters Project does not sell or loan its mailing list to anyone. We give no information about who is, or is not, a member of the Project. We do, occasionally, send mailings on behalf of other worthwhile organizations, but this is done by our own volunteers so that no other organization has the opportunity to copy our mailing lists.

Odell Berry
3382 62nd Ave
Oakland 94605

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Call Congress for Free!
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Ask to be put through to your Senator or Representative.
(Lambda Letters can mail you a list of your elected representatives. Just ask us!)

Advertising Rates

Business-card sized ads (3½" × 2") $10 per issue, quarter-page ads $20 per issue, half-page ads $30 per issue, full-page ads $50 per issue. Deadline for payment and camera-ready copy, along with your name and phone number, is the 25th of each month.

☐ **Yes, I want to make a donation to help LLP continue its important work. (Appreciated but not required.)**

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People of Color Issue

Objective Research Needed on Bilingual Education

by Boyce Hinman

Twenty-five percent of California's students in grades K–12 have limited skills in English. Forty percent of those in the first two years of school are limited English proficient (LEP).

There has been lots of talk about whether bilingual education is effective in teaching these students. Much of the discussion has been highly emotional and with little actual data to support one position or the other. According to a study done by the University of California, Davis, no objective studies have been done on the subject. Their report says, "Current assessment strategies are piecemeal and serve neither the purpose of accountability nor the needs of teachers to know how their students are learning. There are no good statewide data on the academic performance of limited English proficient students at any level or in any subject area."

What is needed is an objective, unbiased study of what method of teaching is most effective in educating LEP students and that is exactly what A.B. 748 (Martha Escutia, D–Huntington Park) proposes. The bill would require a survey of the primary languages of California's students and, for LEP students, an assessment of their English skills.

A.B. 748 would also require the State Board of Education to develop an effective test for measuring the English proficiency of LEP students and to make the test available to school districts. The bill would require an annual assessment of the academic skills of LEP students and the comparison of their skills and performance to standards developed by the Department of Education. A.B. 748 would require that the results of these assessments be used to determine how to modify and improve the methods used to teach limited English proficient students.

A.B. 748 seeks to remove emotionalism from the debate over bilingual education and deal with it in an objective, scientific manner. As such, it deserves our support.

Lesbian/Gay/Bisexual/Transgender Issue

Adding Sexual Orientation to FEHA

by Hilary Cook

A.B. 257, which is expected to come before the Assembly sometime near the end of May, is an important bill seeking to add sexual orientation to the Fair Employment and Housing Act. FEHA currently protects people in a broad range of categories. Indeed, it makes it illegal to discriminate against someone in housing or employment on the basis of race, religion, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sex, or age. Employers are required to post this information in workplaces so that employees are aware of their rights.

Many people, even many lawyers, are not aware that it is already illegal to discriminate against a person on the basis of his or her actual or perceived sexual orientation under the Labor Code. While the Labor Code does offer some amount of protection, that protection is much less than that offered under FEHA to people in other categories. For instance, under the Labor Code a person must file a complaint within 30 days of a discriminatory incident, while under FEHA a person has up to a year. Often it takes a while for an incident to sink in, for the person to decide to do something, and for him or her to get an appointment with a lawyer, by which time the 30-day limit can easily have passed.

All non-profits are exempted from the Labor Code provisions, whereas only religious non-profits are exempt under FEHA. Under the Labor Code the plaintiff is limited to reinstatement, back pay, attorney's fees, and an order to the employer to stop

Continued on page 5

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HIV/AIDS Issue

Supporting the Better HIV Prevention Act

by Katharine Holland

One of the most ill-conceived and mean-spirited bills this year is the so-called HIV Prevention Act of 1997, H.R. 1062, introduced by Rep. Tom Coburn (R-OK).

The Coburn bill contains provisions that would allow medical professionals to refuse treatment to any individual who has not been tested for HIV and mandate that all states report the names of HIV-positive individuals to the Centers for Disease Control to create a federal partner notification program, despite the fact that all states already have partner notification.

The bill also requires states to provide detailed "information" about everyone who tests positive for HIV to the CDC so that information can be "shared" between states in order to track partners nationally; requires states to implement new, complicated, and confusing processes for HIV testing of accused sexual offenders; and does not give the victim of sexual assault anything in the way of counseling, testing, or care. The bill also contains a number of other "test and report" issues that deal with a vast array of circumstances—everything from funeral homes to adoption agencies.

Meanwhile, the Comprehensive HIV Prevention Act of 1997, H.R. 1219—sponsored by Congresswomen Nancy Pelosi (D-CA) and Connie Morella (R-MD)—would promote effective and targeted primary prevention programs and effectively respond to the growing challenges of HIV infection in certain populations, specifically women and people of color. The Pelosi/Morella bill is based on sound HIV-prevention policy. It would ensure better coordination and planning by giving general authority and responsibility to the Secretary of Health and Human Services, in con-

Continued on page 5

Lavender Valentines

Let us know when *your* anniversary occurs!

Women's Issue

Convicted Batterers Unfit for Custody

by Carla Leek

A.B. 200 (Sheila Kuehl, D-Encino) creates a "rebuttable assumption" that a batterer is unfit for custody of children. Although it may seem self-evident that a person convicted of domestic violence is probably an unfit parent, current California state law doesn't see it that way.

If a woman is lucky enough to escape her batterer, and he is successfully prosecuted and convicted, current California law forces her to prove that he is unfit for custody of their children. Obviously, this doesn't make sense. The need for this law is so clear that both houses of Congress passed a Concurrent Resolution calling on states to pass this law. Twelve states have already done so. Texas and Wyoming have even passed outright bans on joint custody in domestic violence cases.

The National Council of Juvenile and Family Court Judges found that "joint or substantially shared custody in these [domestic violence] cases [has] the most adverse consequences for children of any custody option because it places both the children and the abused partner in further danger, and undermines the serious approach our criminal law takes to domestic violence."

The bill has passed the Assembly and is headed for the Senate Judiciary committee. Please sign the enclosed letter, encouraging a member of the committee to support A.B. 200.

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HIV Prevention

Continued from page 4

sultation with an advisory committee, to develop a strategic plan for expenditure of appropriations for HIV-prevention activities at all agencies within the Public Health Services.

The Pelosi/Morella bill also would authorize a variety of programs to reach women with HIV-prevention services; a grant program to promote community-based activities to reduce the number of new HIV infections; and a national program, as well as a grant program, to state and local health departments to conduct testing, counseling, referral, and partner notification. Among other things, it would also authorize a national program and funding to promote school and college-based HIV education programs.

Please sign the enclosed letter opposing the Coburn bill and supporting the Pelosi/Morella bill.

Adding Sexual Orientation to FEHA

Continued from page 3

discriminating. FEHA includes a broader range of remedies, including the possibility of damages up to $50,000 and an administrative fine. People who are discriminated against on more than one ground, for example color *and* orientation, have to deal with two completely separate bureaucracies with differing procedures, deadlines, and remedies.

In the area of housing, courts have already found that discrimination based on sexual orientation is covered by FEHA through the Unruh Civil Rights Act. A.B. 257 would simply codify that existing case law.

If passed, A.B. 257 would simplify matters for employees and employers alike. It would provide a simple, well-publicized, and well-understood mechanism for people to access when they are denied housing or employment simply because they are gay, lesbian, or bisexual. It would have a positive impact on many peoples' lives. Please sign the letter urging your Assemblymember to vote for A.B. 257.

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Legislative Update

Continued from page 1

the committee wants a better picture of what next year's budget will be before taking a final vote on the bills. Notice, too, an obvious imbalance in the number of bills listed among the four categories. There are many more l/g/b/t bills than those in any other category. In part that is because we are based primarily in that community. Also, it reflects the fact that some of the bills covered in our other three subject areas were in Congress and so are not covered by this article. However, it is certainly true that we could use additional help in tracking bills in our other three subject areas (HIV/AIDS issues, people of color issues, and women's issues) and in creating e-mail alerts and letters from the Lambda Letters Administrator on these bills. Interested persons should send us a note with their letters.

HIV/AIDS Issues

A.B. 818 (Martinez, D–Alhambra)
Purpose: To require doctors to offer voluntary HIV testing and counseling to patients aged 15–54.
LLP Position: Support.
Status: Passed Assembly Health Committee. Sent to Assembly Appropriations Committee.

S.B. 535 (Vasconcellos, D–San Jose)
Purpose: To implement Prop. 215, the marijuana initiative.
LLP Position: Support.
Status: Passed Senate Public Safety Committee. Referred to Senate Appropriations Committee.

L/G/B/T Issues

A.B. 53 (Murray, D–Culver City)
Purpose: To allow adoptions by lesbian or gay couples and other unmarried persons. It would overturn the Governor's policy on adoptions.
LLP Position: Support.
Status: Approved in all its Assembly Committees and, at this writing, is awaiting a vote on the Assembly floor.

A.B. 54 (Murray, D–Culver City)
Purpose: To establish a statewide system for registering domestic partnerships.
LLP Position: Support.
Status: Passed Assembly Judiciary Committee. Is in Assembly Appropriations Committee in suspense file.

A.B. 101 (Kuehl, D–Encino)
Purpose: To prohibit sexual orientation–based discrimination and harassment in public schools and colleges.
LLP Position: Support.
Status: Passed the Assembly Education and Higher Education Committees. Scheduled for a hearing and vote in the Assembly Appropriations Committee on May 7th.

A.B. 257 (Villaraigosa, D–Los Angeles)
Purpose: To add a ban on sexual orientation–based discrimination to the Fair Employment and Housing Act. Would ban such discrimination in employment, housing, and public accommodations.
LLP Position: Support.
Status: Passed the Assembly Labor and Employment Committee. Sent to Assembly Appropriations Committee.

A.B. 427 (Knox, D–Los Angeles)
Purpose: To provide domestic partner health care benefits for state employees.
LLP Position: Support.
Status: In Assembly Public Employees Committee. Prospects for committee approval look good.

A.B. 492 (Keeley, D–Santa Cruz)
Purpose: Currently the State Labor Code prohibits sexual orientation based employment discrimination, but private non-profits are exempted. Originally the bill would have narrowed the exemption to non-profits established for a religious purpose. The author dropped that provision. Now the bill simply expands the period for submitting a complaint of discriminations from the current 30-day limit up to one year.
LLP Position: Support.
Status: Passed Assembly Labor and Employment Committee. Next stop, Assembly Appropriations Committee.

A.B. 800 (Margett, R–Arcadia)
Purpose: To ban the recognition of same-sex marriages that might occur legally in another state.
LLP Position: Oppose.
Status: Scheduled for a hearing in the Assembly Judiciary Committee on April 30th (after publication of this newsletter).

A.B. 1059 (Migden, D–San Francisco)
Purpose: To require insurers that provide health benefits to employees or subscribers and their dependents, and to also provide them to the domestic partners of the employees or subscribers.
LLP Position: Support.
Status: Passed the Assembly Insurance Committee. Pending in the Assembly Appropriations Committee. The author of the bill is chair of that committee.

S.B. 841 (Hayden D–Los Angeles)
Purpose: To require that all employers who get contracts with state or local governments provide benefits to the domestic partners of their employees whenever they offer such benefits to the spouses of their employees.
LLP Position: Support.
Status: Failed in the Senate Judiciary Committee on April 23rd. Granted a new vote in the following week (after publication of this newsletter).

S.B. 911 (Knight, R–Palmdale)
Purpose: To ban the recognition of same-sex marriages that might occur legally in another state.
LLP Position: Oppose.

Continued on page 9

Lambda Letters Saves $$

You Are Terrific!

Each month Lambda Letters provides a pre-addressed envelope that members may use to return their signed letters to us for counting and delivery. In the past we also provided a stamp for each return envelope. By early last year, that service was costing the Project as much as $250 per month for stamps.

At its July 1996 meeting, the Lambda Letters Board of Directors decided to experiment by asking our members to provide their own stamps for the return envelope. The board directed staff to provide no stamps in September, October, and November last year. Staff were to determine whether this new policy resulted in a reduction of the number of signed letters returned to the Project.

We tried the experiment and it worked. Prior to last September about 75 percent of our members were returning their letters each month. During the test period, and ever since, the return rate has stayed at essentially that same level. Thank you all for being so supportive. This results in a annual savings of at least $2,750. This money is being put to good use providing services to more people and getting more constituent mail to our legislators. (By the way, from all accounts, that 75 percent return rate is an amazingly good response rate. As we said, you all are terrific!)

Letter Stuffers Needed

Each month a team of volunteers gathers to prepare the monthly mailings received by our members. Usually this occurs on the first Thursday of the month and it is done at the offices of OutSourcing Management in Sacramento. Sandy Virago, owner of that management services company, has been kind enough to let us use her office for several years.

Generally we gather at 7 P.M. and work until about 8:30 or 9 P.M. Refreshments and a door prize are provided and we generally have a good time working together. It is a very sociable gathering. If you live in the greater Sacramento area, and would like to help us prepare our mailings, please send us a note with your letters or call us at (916) 965-6851.

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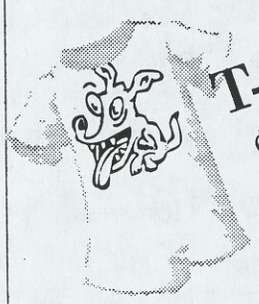

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Member Survey

Survey Results Are In

Over 300 of our members responded to the survey of member priorities that we sent out with the February newsletter. Of them, 139 are female, 151 are male, 3 are transgendered, and 10 didn't state their gender. The ethnicity of the respondents is as follows:

White/Caucasian	251
Black	3
Latino(a)/Hispanic	16
Asian	4
Native American	3
Mixed	12
Didn't state	14

The top four priorities of our respondents, in the four issue areas we cover, are as follows:

AIDS/HIV

1. Funding for AIDS needs.
2. Access to affordable health care.
3. Inexpensive or free prescription drugs.
4. Prevention programs for women, minorities and youth.

L/G/B/T

1. Domestic partner registration and benefits.
2. State and federal recognition of same sex marriage.
3. Discrimination in employment and housing.
4. Violence and hate crimes.

People of color

1. Strengthened discrimination laws in the absence of affirmative action.
2. Access to quality education.
3. Violence and hate crimes.
4. Access to job training programs.

Women's Issues

1. Safe, legal and access to affordable abortions.
2. Pay equity in the work place.
3. Funding for women's health research.*
4. Preserving the financial safety net for low income women, including tracing delinquent child support payments.*

* Note: Items 3 and 4 in women's issues were tied.

The subjects we cover each month are driven, partially, by the events of the day, such as the introduction of good or bad legislation in the State Legislature or Congress. However, the survey results have been shared with our analysts and, as much as possible, we use our members' priorities as a guide in choosing the subjects we cover each month.

Telephone Activism

Continued from page 1

When you call the toll-free number, an operator will answer. State the name of the representative you are calling. Then ask to be connected to his or her office. Once connected, say, "*I would like to leave a message for Representative (insert name). Please urge him (or her) to support upcoming legislation to make gender or sexual orientation–based hate crimes a federal offense.*" When you have made your calls, please pop the pink response card in with your signed letters and return it to us, so we can determine how many calls were made.

Here are some details on the issue. Legislation is now being readied to add new categories of hate crimes to federal statutes. This legislation would make gender or sexual orientation–based hate crimes a violation of federal law. Attorney General Janet Reno issued a statement on March 11th indicating that new data gathered by the FBI and other sources indicate that there has been a disturbing increase in hate crimes. She noted that current federal laws do not permit the federal government to prosecute hate crimes based on the victim's sexual orientation.

Your phone calls will help us pass legislation to make gender and sexual orientation–based hate crimes a federal offense. Please remember to return your pink response card if you do call Congress.

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Legislative Update

Continued from page 6

Status: Failed in the Senate Judiciary Committee. Probably dead.

People of Color Issues

A.B. 36 (Firestone, R-Campbell)
Purpose: To relieve school districts of teaching core curriculum subjects in the primary languages of students with limited English skills.
LLP Position: Oppose.
Status: Failed in the Assembly Education Committee. Probably dead.

A.B. 37 (Firestone, R-Campbell)
Purpose: To allow state colleges and universities to assess public school districts when the graduates of high schools in those districts need remedial education classes in college. Would leave school districts with fewer dollars to provide a quality education.
LLP Position: Oppose.
Status: Failed in Assembly Education Committee. Probably dead.

A.B. 50 and A.B. 51 (Murray, D-Culver City)
Purpose: To increase penalties for hate-based arson of churches.
LLP Position: Support.
Status: Both passed the Assembly Public Safety Committee. Now pending in the Assembly Appropriations Committee.

S.B. 6 (Alpert, D-San Diego)
Purpose: To relieve school districts of teaching core curriculum subjects in the primary languages of students with limited English skills.
LLP Position: Oppose.
Status: Passed by the Senate Education Committee. Scheduled for a vote in the Senate Appropriations Committee on May 5th.

S.B. 34 (Vasconcellos D-San Jose)
Purpose: To provide medically necessary pregnancy services to low-income aliens who would qualify for Medi-Cal except for the fact that they do not meet the residency requirements for Medi-Cal.
LLP Position: Support.
Status: In the Senate Committee on Health and Human Services. Scheduled for a vote on May 7th.

Women's Issues

A.B. 45 (Murray, D-Culver City)
Purpose: To add a fiancé(e), or someone with whom a domestic abuser has had a dating relationship, to the list of legally-recognizable victims of domestic abuse.
LLP Position: Support.
Status: Passed Assembly Public Safety Committee. Is now in the Assembly Appropriations Committee in its suspense file.

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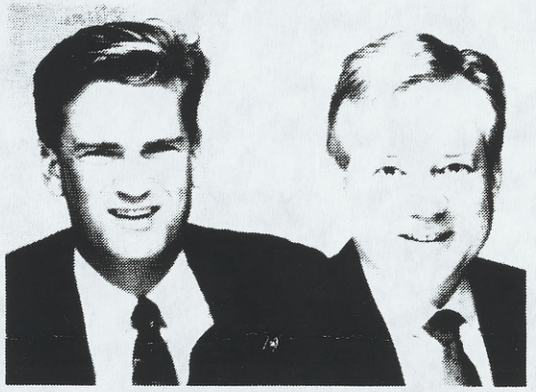

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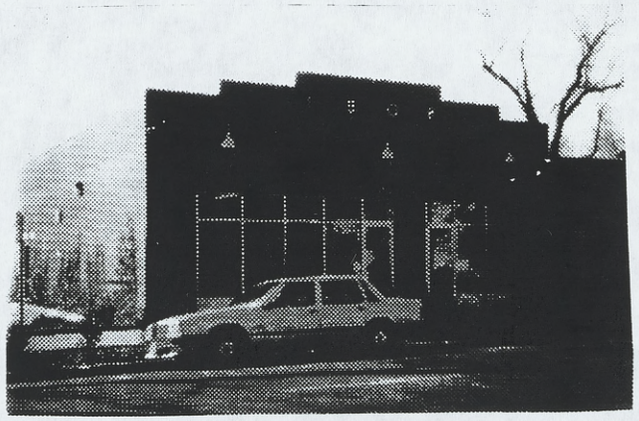
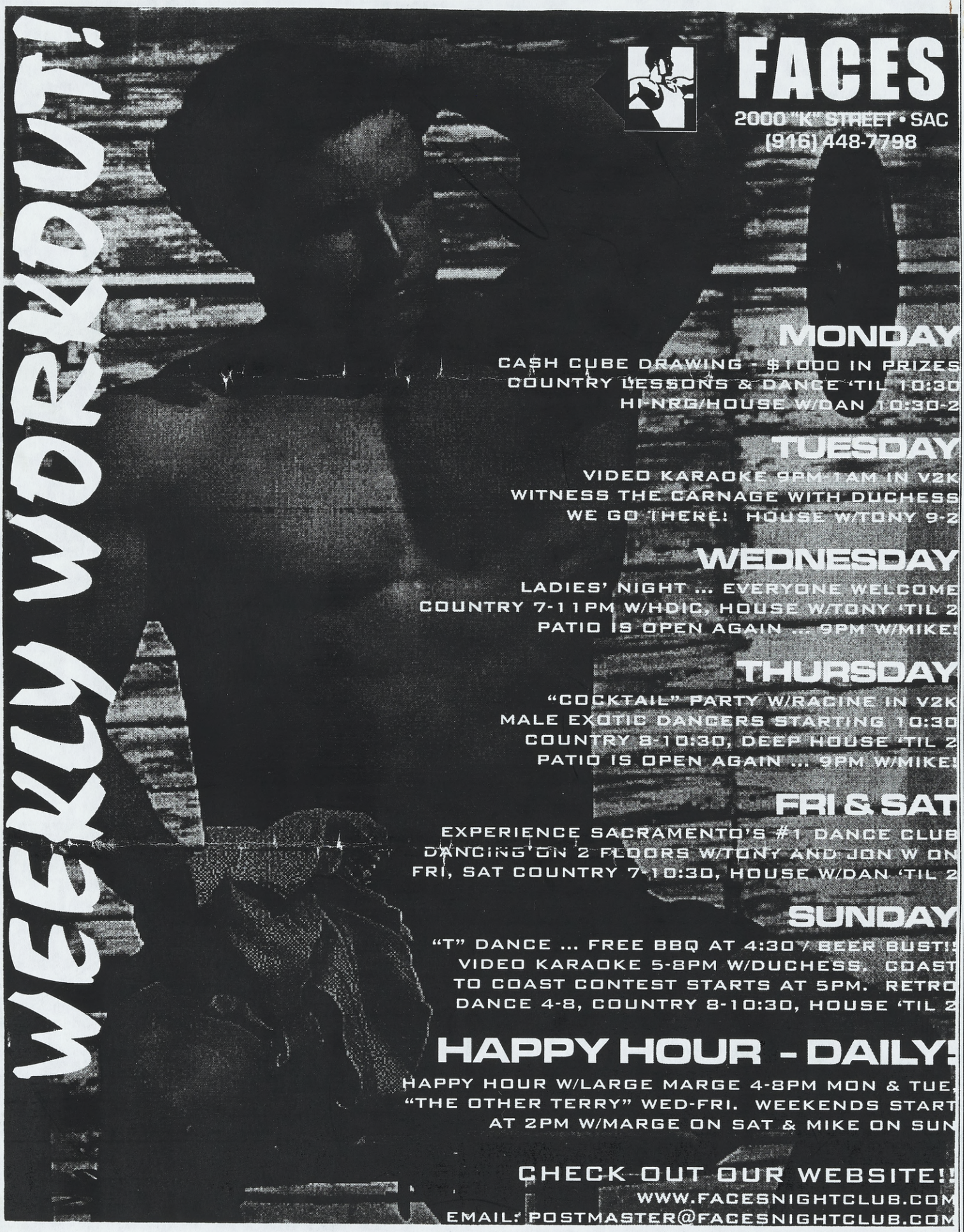
Call 448-1999 for free faxed list of available properties





FACES

2000 "K" STREET • SAC
(916) 448-7798

MONDAY

CASH CUBE DRAWING - $1000 IN PRIZES
COUNTRY LESSONS & DANCE 'TIL 10:30
HI-NRG/HOUSE W/DAN 10:30-2

TUESDAY

VIDEO KARAOKE 9PM-1AM IN V2K
WITNESS THE CARNAGE WITH DUCHESS
WE GO THERE! HOUSE W/TONY 9-2

WEDNESDAY

LADIES' NIGHT ... EVERYONE WELCOME
COUNTRY 7-11PM W/HDIC, HOUSE W/TONY 'TIL 2
PATIO IS OPEN AGAIN ... 9PM W/MIKE!

THURSDAY

"COCKTAIL" PARTY W/RACINE IN V2K
MALE EXOTIC DANCERS STARTING 10:30
COUNTRY 8-10:30, DEEP HOUSE 'TIL 2
PATIO IS OPEN AGAIN ... 9PM W/MIKE!

FRI & SAT

EXPERIENCE SACRAMENTO'S #1 DANCE CLUB
DANCING ON 2 FLOORS W/TONY AND JON W ON
FRI, SAT COUNTRY 7-10:30, HOUSE W/DAN 'TIL 2

SUNDAY

"T" DANCE ... FREE BBQ AT 4:30 / BEER BUST!!
VIDEO KARAOKE 5-8PM W/DUCHESS. COAST
TO COAST CONTEST STARTS AT 5PM. RETRO
DANCE 4-8, COUNTRY 8-10:30, HOUSE 'TIL 2

HAPPY HOUR - DAILY!

HAPPY HOUR W/LARGE MARGE 4-8PM MON & TUE.
"THE OTHER TERRY" WED-FRI. WEEKENDS START
AT 2PM W/MARGE ON SAT & MIKE ON SUN

CHECK OUT OUR WEBSITE!!

WWW.FACESNIGHTCLUB.COM
EMAIL: POSTMASTER@FACESNIGHTCLUB.COM